

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA
Plaintiff,

v.

Case No. 06-MISC-003

DANIEL STORM a/k/a DANIEL SLAUGHTER
Defendant.

ORDER

Defendant Daniel Storm filed a motion to dismiss and/or for relief from judgment. The motion pertains to a \$250,000 fine imposed by the district court for the Northern District of Illinois in 1987 in Case No. 86-CR-57. The Financial Litigation Unit ("FLU") of the U.S. Attorney's Office in Chicago transferred collection of the fine to the FLU in this district in 1993, and the matter was assigned Case No. 93-MISC-400 for purposes of accounting for the funds. Recent efforts by the FLU to collect prompted defendant to seek an order terminating the fine and the government's efforts to collect it because (1) he was not properly served with process in Case No. 93-MISC-400, (2) the government has failed to prosecute the matter, and (3) the time permitted for collection of the fine has expired. Defendant is currently incarcerated at FCI-Elkton in Lisbon, Ohio on an unrelated matter.¹

¹Defendant filed the instant motion under Case Nos. 93-MISC-400 and 88-CR-122. The latter case was an unrelated criminal matter prosecuted in this district, which has nothing to do with the instant motion. The former, as discussed in the text, was not an actual case at all, but simply a number assigned for collection purposes. The clerk's office, having no record of Case No. 93-MISC-400, assigned Case No. 06-MISC-003 to the motion. The motion was then assigned to me.

I dismiss the motion for lack of jurisdiction. Defendant provides no basis for me to void a fine imposed by a court in another district 20 years ago. Although it appears that defendant was for a time supervised by the probation office in this district after his release from prison to parole on Case No. 86-CR-57, the court's records do not show that jurisdiction of the case was ever formally transferred here. The mere fact that the Chicago branch of the U.S. Attorney's office transferred collection efforts over the fine to the U.S. Attorney's office in Milwaukee does not confer jurisdiction on this court. Case No. 93-MISC-400 was simply a number assigned to account for any money collected. This was not an active file containing any pleadings, with which defendant had a right to be served, nor does it contain a new judgment against him. Finally, to the extent that defendant complains of the actions of the Bureau of Prisons in attempting to collect, I also lack jurisdiction to consider those complaints, which are properly brought under 28 U.S.C. § 2241 in the district of confinement.

THEREFORE, IT IS ORDERED that defendant's motion (R. 1) and this case are **DISMISSED**.

IT IS FURTHER ORDERED that defendant's motion for production of documents (R. 6) is **DENIED** as moot.

Dated at Milwaukee, Wisconsin this 26th day of September, 2006.

/s Lynn Adelman

LYNN ADELMAN
District Judge